IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 15TH FEBRUARY 2007 / 26TH MAGHA 1928

WP(C).No. 5207 of 2007(T)

PETITIONER:

PARAMESHWARAN NAMBOOTHIRI, MELSANTHI,
ASHTTAMICHIRA TEMPLE, RESIDING AT PALOORMANA,
PARAKADAVU P.O, ERNAKULAM.

BY ADV. SRI.S.KRISHNAMOORTHY

RESPONDENTS:

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1. COCHIN DEVASWOM BOARD REP.BY ITS
SECRETARY, DEVASWOM BUILDING, TRICHUR.

2. SPECIAL DEVASWOM COMMISSIONER, O/O
SPECIAL DEVASWOM COMMISSIONER, DEVASWOM BUILDING,
TRICHUR.

BY SC SRI.M.RAMESH CHANDER

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO.5207 of 2007

Dated this the 15th day of February, 2007

JUDGMENT

Ext.P4 representation filed by the petitioner is pending with the second respondent. It is pointed out by the learned counsel for the petitioner that his transfer based on certain allegations is improper and that since no stigma has been cast on him based on the opinions expressed by the enquiring authority in Ext.P3, he is entitled to be posted back in a B-Grade temple.

2. Prima facie, it appears that Ext.P3 was passed without following the procedure prescribed by law. Hence, there is merit in the contention that the mere fact that the respondents received a report against the petitioner shall not be relevant criterion while disposing of his request for transfer to a B-grade temple as requested in Ext.P4.

3. The second respondent shall pass orders on Ext.P4, in

accordance with law, within three weeks from the date of receipt of a copy of the judgment.

K.K.DENESAN, JUDGE

CSS